

REMARKS

Claims 15, 16 and 18-23 stand rejected under 35 U.S.C. §103 as being obvious over U.S. Patent No. 6,001,125 to Golds et al. (hereinafter "Golds") in view of U.S. Patent No. 6,264,684 to Banas et al. (hereinafter "Banas"). This determination is respectfully traversed.

Golds is directed to a stent/graft composite device including two separately formed tubular grafts which are concentrically arranged with a tubular stent therebetween. Thus, Golds contemplates using the separately formed components which are placed together in a concentric arrangement. As it relates to the method claims of the present invention Golds fails to show a stent and a PTFE strip both wrapped about a inner PTFE tube where the wrapped stent is placed in direct contact with the inner tube. Further, there is no separate assembly of the stent with any other structure, specifically a PTFE strip.

The Examiner attempts to fill the deficiencies of Golds by using the Banas teaching of an assembly strip formed of PTFE and a stent. The Examiner contends that "it would be obvious to one of ordinary skill in the art to modify the device taught by Golds '125 with an assembly strip taught by Banas '684..." at page 3. However, even if one were assume the correctness of the direct substitution suggested by the Examiner, the combined device of Golds and Banas would still be deficient in meeting the limitations of the claims of the present invention.

Docket No.: 760-7 CPA/RCE 2/DIV
Application No.: 10/643,527
Page 3

As noted previously, the only disclosure in Banas is of an assembly strip where the stent is fully encased within PTFE material. Thus, even if one were to take the Banas assembly strip and wrap it about the inner tube disclosed in Golds, the resulting structure would still fail to show an extendible support structure (stent) placed in direct contact with the inner tubular body.

Therefore, as the combination proposed by the Examiner, namely the Golds inner tube with the Banas assembly strip still fails to meet the limitations of the claims, it is respectfully submitted that independent claims 15, 19 and 20 are patentably distinct over the cited combination.

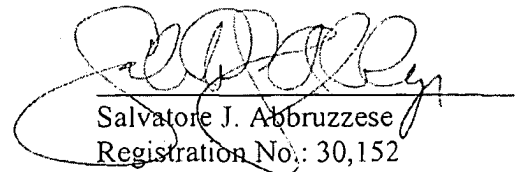
Accordingly, it is respectfully submitted that the application, including claims 15, 16 and 18-23, is in condition for allowance. Favorable action thereon is respectfully solicited.

The Commissioner is hereby authorized to charge payment of any additional fees, including additional claim fees, associated with this communication, or credit any overpayment, to Deposit Account No. 20-0776. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R. § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Docket No.: 760-7 CPA/RCE 2/DIV
Application No.: 10/643,527
Page 4

Should the Examiner have any questions regarding this response, the undersigned would be pleased to address them by telephone.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Salvatore J. Abbruzzese', is written over a horizontal line.

Salvatore J. Abbruzzese
Registration No.: 30,152
Attorney for Applicant(s)

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(973) 331-1700